

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEB 21 2020

Carlos Cid,

Plaintiff,

-v-

J.T. Auto & Body Shop, Inc.,

Defendant.

18-CV-9284 (AJN) (RWL)

ORDER

ALISON J. NATHAN, District Judge:

Before the Court is Judge Lehrburger's Report & Recommendation ("R & R") recommending the Court award Plaintiff damages, fees, costs, and interest in the amount of \$45,325, in addition to pre-judgment interest on unpaid wages as determined by the Clerk of Court. Dkt. No. 32.

When considering the findings and recommendations of a magistrate judge, the Court may "accept, reject, or modify [them], in whole or in part." 28 U.S.C. § 636(b) (1). The Court must make a *de novo* determination of any portions of a magistrate's report or findings to which a party raises an objection, and reviews only for "clear error on the face of the record" when there are no objections to the R & R. *Brennan v. Colvin*, No. 13-CV-6338 (AJN) (RLE), 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015); *see also Hicks v. Ercole*, No. 09-cv-2531 (AJN) (MHD), 2015 WL 1266800, at *1 (S.D.N.Y. Mar. 18, 2015); *Gomez v. Brown*, 655 F.Supp.2d 332, 341 (S.D.N.Y. 2009). Clear error is found only when, upon review of the entire record, the Court is left with "the definite and firm conviction that a mistake has been committed." *Laster v.*

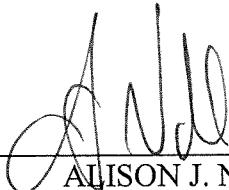
Mancini, No. 07-CV-8265 (DAB) (MHD), 2013 WL 5405468, at *2 (S.D.N.Y. Sept. 25, 2013) (quoting *United States v. Snow*, 462 F.3d 55, 72 (2d Cir. 2006)).

Objections to Judge Lehrburger's R & R were due by February 13, 2020. See Dkt. No. 32 at 19. As of the date of this Order, no objections have been filed. The Court thus reviews the R & R for clear error and finds none. The Court therefore adopts the R & R in its entirety and awards Plaintiff damages, fees, costs, and interest in the amount of \$45,325, in addition to pre-judgment interest on unpaid wages as determined by the Clerk of Court, on the grounds described by Judge Lehrburger.

The Clerk of Court is respectfully directed to enter judgment and close this case.

SO ORDERED.

Dated: February 10, 2020
New York, New York



ALISON J. NATHAN
United States District Judge